

SUPREME COURT OF CALIFORNIA

**NOTICE OF
FORTHCOMING FILING**

The Supreme Court has indicated that the filing of a written opinion in the following case(s) is forthcoming. At the filing time designated below, the filed opinion(s) will be accessible at the judicial branch web site (www.courtinfo.ca.gov) and copies will be made available at the Supreme Court Clerk's Office.

[Generally, the description set out with regard to each case is reproduced from the original news release issued when review in the matter was granted, and is provided for the convenience of the public and the press. The description does not necessarily reflect the view of the court, or define the specific issues that will be addressed by the court.]

PEOPLE v. DUFF (JAMES EDWARD)

S153917 (G036562; Orange County Superior Court – 04NF2414)
Argued in San Francisco 5-25-10

This case presents the following issue: Does Penal Code section 2933.2, which provides that “any person who is convicted of murder . . . shall not accrue any credit, as specified in [Penal Code] section 2933,” apply where the defendant was convicted of murder but the sentence was stayed under Penal Code section 654?

MOORE (ARDELL) v. SUPERIOR COURT (THE PEOPLE, RPI)

S174633 (B198550; Los Angeles County Superior Court – ZM008445)
Argued in San Francisco 5-26-10

This case presents the following issue: Can the trial in a commitment proceeding under the Sexually Violent Predator Act be held while the defendant is incompetent?

IN RE POPE (NATHAN) ON H.C.

S160930 (C051564; Sacramento County Superior Court – 05F05526)
Argued in San Francisco 5-25-10

This case presents the following issue: Does Penal Code section 2933.1, which limits to 15 percent the worktime credits a defendant convicted of a violent felony can earn, apply if the sentence on the violent felony was stayed under Penal Code section 654?

Opinion(s) in the above case(s) will be filed on:

Thursday, August 19, 2010 at 10:00 a.m.